

Rechazo EXTRADICCIÓN



///TIFICO: En cuanto ha lugar por derecho y teniendo a la vista la causa nro 1314/05, caratulada: **"DEISERNIA, RICARDO GUILLERMO S/ CONTRABANDO AGRAVADO"**, (la que tramitó en su etapa instructora por ante el Juzgado Nacional en lo Penal Económico N° 6, Secretaría N° 11, bajo el nro.13/05) en trámite por ante este Tribunal en lo Penal Económico nro 1, Secretaría a cargo del suscripto, de la misma surge a fs. 395/398 que con fecha 3 de marzo de 2005, en el incidente de excepción de falta de acción agregado a la causa nro. 13/05, caratulada "Deisernia, Ricardo Guillermo por detención preventiva con fines de extradición", el Juzgado Nacional en lo Penal Económico N° 6, Secretaría N° 11, resolvió: "...HACER LUGAR A LA EXCEPCIÓN DE FALTA DE ACCIÓN planteada a fs. 1/14 por la Defensa de Ricardo Guillermo Deisernia, por no poder ser proseguida (arts. 339 inc. 2do. y 358 del CPPN)...". Asimismo, con fecha 23 de junio de 2005, se dispuso: "... ACLÁRESE que la resolución dictada a fs. 395/398 de la presente causa nro. 13/05 (ex causa nro. 12.643/04) (incidente de excepción de falta de acción) tiene alcance suficiente para estar a la improcedencia de la extradición solicitada por los Estados Unidos de América respecto de Ricardo Guillermo DEISERNIA, tal como fuera oficiado al Ministerio de Relaciones Exteriores, Comercio Internacional y Culto, en cuanto al rechazo del pedido de extradición (ver fs. 403)...". Finalmente, certifico que el Sr. Ricardo Guillermo Deisernia es titular del DNI N° 17.801.401. En fe de ello, por mandato de V.E. y a pedido del interesado expido el presente para ser presentado ante las autoridades que así lo requieran, el cual sello y firmo en la Ciudad de Buenos Aires, a los 6 días del mes de octubre del año dos mil nueve.-

ANDRÉS JOSE LOPEZ
SECRETARIO DE CAMARA
TRIBUNAL ORAL

EXHIBIT D

Judicial Branch of the Nation [Handwritten: EXTRADITION REJECTION]

//TIFY: As required by law, and with case No. 1314/05 before me, entitled: "**DEISERNIA, RICARDO GUILLERMO, RE: AGGRAVATED CONTRABAND**", (which was heard in its investigative stage before the National Criminal Court in Financial Matters No 6, Clerk's Office N° 11, under no. 13/05), in process before this Criminal Court in Financial Matters No. 1, Clerk's Office under the responsibility of the undersigned, from this same case, on pages 395-398 dated March 3, 2005, in the demurrer issue added to case no. 13/05, entitled "Deisernia, Ricardo Guillermo for the preventive arrest with the purpose of extradition", the National Criminal Court in Financial Matters N° 6, Clerk's Office N° 11, ruled: "...TO SUSTAIN THE DEMURRER made on pages 1-14 by the Defense of Ricardo Guillermo Deisernia, because the proceedings may not go forward (Article 339, sub-section 2, and Article 358 of the C.P.P.N. [National Criminal Process Code, by its initials in Spanish])...". Additionally, on June 23, 2005, it stipulated: "... BE IT CLARIFIED that the ruling made on pages 395-398 of case no. 13/05 (formerly case no. 12.643/04) (demurrer issue) has sufficient scope to make inappropriate the extradition requested by the United States of America, regarding Ricardo Guillermo DEISERNIA, as notified in writing to the Ministry of Foreign Relations, International Trade and Worship, regarding the rejection of the request for extradition (see page 403)...". Finally, I certify that Mr. Ricardo Guillermo Deisernia is the bearer of DNI [National Identity Document, by its initials in Spanish] No. 17.801.401. In witness whereof, by order of Your Excellency, and at the request of the interested party, I issue this document to be presented before whatever authorities may require it, which I sign and seal in the City of Buenos Aires on the 6th of October of two thousand and nine.

[Signed, illegible]

ANDRES JOSE LOPEZ
CLERK OF THE COURT
ORAL COURT

Ellen Donohue

Translator/ Interpreter

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MAY 10 2017

I, Ellen Donohue, am competent to translate from Spanish to English, with the following certifications: Federally (Administrative office of the Federal Courts) Certified Court Interpreter, Spanish and State of Michigan (Supreme Court of Michigan Administrative Office) Certified Court Interpreter for Spanish. I have reviewed the documents entitled Deisernia, 1; Deisernia, 2; Deisernia, 3; Deisernia, 4; Deisernia, 5; Deisernia, 6; and Deisernia, 7 and translated them truly and correctly into English.


Ellen Donohue

5-10-17
Date